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NEWS RELEASE

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Paul J. McNulty, United States Attorney for the Eastern District of Virginia, announces the guilty plea of Ben John Barbot, age 51, of Richmond, Virginia. On Wednesday, December 3, 2003, Barbot plead guilty to one count of criminal copyright infringement and one count of trafficking in counterfeit goods. Barbot faces a maximum possible sentence of 15 years of incarceration and a possible fine of \$2.25 million as a result of his guilty plea to these two counts. United States District Judge Henry Hudson accepted Barbot's guilty plea, and scheduled sentencing for February 20, 2004.

Beginning on June 16, 2001, and continuing until December 4, 2002, Barbot received thousands of copies of counterfeit Microsoft computer software—primarily Office 2000 Professional – which were shipped from other states to his home in Richmond, Virginia, and his work address in Glen Allen, Virginia. Barbot then sold the counterfeit software through various Internet-based businesses he created, using such names as “eSoftware Outlet,” “Best Byte Software,” “Bright Software,” and “Wahoo Warehouse.” As part of his guilty plea, Barbot admitted that the retail value of the infringed product he distributed exceeded \$7 million.

Also as part of his plea agreement, Barbot admitted that he was responsible to pay \$1.7 million dollars in restitution to Microsoft, which Barbot agreed to do prior to sentencing.

Mr. McNulty stated: “This guilty plea is an important victory in the battle against copyright infringement in cyberspace. This is the largest restitution order ever awarded for selling knock-off Microsoft products.”

This case was investigated by the Bureau of Immigration and Customs Enforcement, with assistance from Microsoft Corporation. Assistant United States Attorney Brian Hood prosecuted the case for the United States.

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